IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 170 OF 2006

IN

SUIT NO. 339 OF 1991

Mehroo Meherji Vakil & Ors. ... Plaintiffs

Vs.

Shiraz B. Anklesharia & Ors. ... Defendants

Mr. H.J. Thakkar with Vishal Thakkar i/b. Gagrats for Plaintiffs.

Mr. Robin Jaisinghani i/b. fazalbhoy Motaframa & Co. for Defendant No.7.

Mr. J.P.Sen with H.R.Yadav for defendants Nos. 3, 4 & 6.

Mr. R.M.Bagalia for Defendants Nos. 8 & 8A (Applicants in support).

CORAM: S.K.SHAH,J.

DATE : 16th February,2006.

P.C.

1. This Chamber Summons is taken out by Defendant No.8 for production of extract of Registration of Marriage which was registered under Section 6 of the Act III of 1936 of Parsi Marriages.

2. The learned Counsel for the Plaintiffs and the Defendants object to the production of the document on the ground that it is produced belatedly. Since it is a public document, the objection cannot sustain. The production is allowed. The learned Counsel for the Plaintiffs states that the document may be read with regard to the registration of marriage only and not with regard to the full aspects disclosed. It is the registration of the marriage. Therefore, it will be primarily read for the purpose of the fact of marriage between the parties. The other things being ancillary to it. It will be open for the parties to prove.

3. The Chamber Summons is, therefore, allowed. The document be taken on record. It is marked as Exhibit D-41.

(S.K.SHAH,J.)